

AMENDMENTS TO LB 940

Introduced by Government, Military and Veterans Affairs Committee:

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. Section 32-716, Reissue Revised Statutes of
4 Nebraska, is amended to read:

5 32-716 (1) Any person, group, or association desiring
6 to form a new political party shall present to the Secretary of
7 State petitions containing signatures totaling not less than one
8 percent of the total votes cast for Governor at the most recent
9 general election for such office. The signatures of registered
10 voters on such petitions shall be so distributed as to include
11 registered voters totaling at least one percent of the votes cast
12 for Governor in the most recent gubernatorial election in each of
13 the three congressional districts in this state. Petition signers
14 and petition circulators shall conform to the requirements of
15 sections 32-629 and 32-630. The petitions shall be filed with the
16 Secretary of State no later than February 1 before any statewide
17 primary election for the new political party to be entitled to have
18 ballot position in the primary election of that year. If the new
19 political party desires to be established and have ballot position
20 for the general election and not in the primary election of that
21 year, the petitions shall be filed with the Secretary of State
22 on or before August 1 of that year. Prior to the circulation of
23 petitions to form a new political party, a sample copy of the

1 petitions shall be filed with the Secretary of State by the person,
2 group, or association seeking to establish the new party. The
3 sample petition shall be accompanied by the name and address of the
4 person or the names and addresses of the members of the group or
5 association sponsoring the petition to form a new political party.

6 (2) The petition shall conform to the requirements of
7 section 32-628. The Secretary of State shall prescribe the form
8 of the petition for the formation of a new political party. The
9 petition shall be addressed to and filed with the Secretary of
10 State and shall state its purpose and the name of the party to
11 be formed. Such name shall not be or include ~~but~~ the name of
12 any political party then in existence or any word forming any
13 part of the name of any political party then in existence, and in
14 order to avoid confusion regarding party affiliation of a candidate
15 or registered voter, the name of the party to be formed shall
16 not include the word "independent" or "nonpartisan". ~~shall not be~~
17 ~~adopted.~~ The petition shall contain a statement substantially as
18 follows:

19 We, the undersigned registered voters of the State
20 of Nebraska and the county of, being severally
21 qualified to sign this petition, respectfully request that the
22 above-named new political party be formed in the State of Nebraska,
23 and each for himself or herself says: I have personally signed
24 this petition on the date opposite my name; I am a registered
25 voter of the State of Nebraska and county of and
26 am qualified to sign this petition; and my date of birth and city,
27 village, or post office address and my street and number or voting

1 precinct are correctly written after my name.

2 Sec. 2. Section 32-1524, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 32-1524 (1) No judge or clerk of election or precinct
5 or district inspector shall do any electioneering ~~on election day~~
6 while acting as an election official.

7 (2) No person shall do any electioneering, circulate
8 petitions, or perform any action that involves solicitation ~~on~~
9 ~~election day~~ within any polling place, or any building ~~in which an~~
10 ~~election is being held,~~ designated for voters to cast ballots by
11 the election commissioner or county clerk pursuant to the Election
12 Act while the polling place or building is set up for voters to
13 cast ballots or within two hundred feet of any such polling place
14 or building. Any person violating this section shall be guilty of
15 a Class V misdemeanor.

16 Sec. 3. Section 49-1434, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 49-1434 (1) Principal ~~shall mean~~ means a person who
19 authorizes a lobbyist to lobby in behalf of that principal.

20 (2) Lobbyist ~~shall mean~~ means a person who is authorized
21 to lobby on behalf of a principal and ~~shall include~~ includes
22 an officer, agent, attorney, or employee of the principal whose
23 regular duties include lobbying.

24 (3) Principal or lobbyist ~~shall~~ does not include:

25 (a) A public official or employee of a branch of state
26 government, except the University of Nebraska, or an elected
27 official of a political subdivision who is acting in the course or

1 scope of his or her office or employment;

2 (b) Any publisher, owner, or working member of the press,
3 radio, or television while disseminating news or editorial comment
4 to the general public in the ordinary course of business;

5 (c) An employee of a principal or lobbyist whose duties
6 are confined to typing, filing, and other types of clerical office
7 work;

8 (d) Any person who limits his or her activities (i) to
9 appearances before legislative committees and who so advises the
10 committee at the time of his or her appearance whom he or she
11 represents or that he or she appears at the invitation of a named
12 member of the Legislature or at the direction of the Governor
13 or (ii) to writing letters or furnishing written material to
14 individual members of the Legislature or to the committees thereof;
15 ~~who furnishes to the Clerk of the Legislature a copy of such letter~~
16 ~~or written material for public inspection;~~

17 (e) Any individual who does not engage in lobbying for
18 another person as defined in section 49-1438; or

19 (f) An employee of a political subdivision whose regular
20 employment duties do not ordinarily include lobbying activities as
21 long as such employee is not additionally compensated for such
22 lobbying activities, other than his or her regular salary, and
23 is not reimbursed for any lobbying expenditures except his or
24 her travel, lodging, and meal expenses and the meal expenses for
25 members of the Legislature.

26 Sec. 4. The Secretary of State shall not be a member or
27 officer of a committee as defined in section 49-1413 other than a

1 committee formed for his or her own candidacy.

2 Sec. 5. (1) The Office of Homeland Security is created.

3 The Governor shall appoint the Director of State Homeland Security.

4 (2) The purpose of the office is to ensure preparedness
5 by the State of Nebraska in response to terrorist acts. The office
6 shall coordinate efforts regarding domestic security issues with
7 the United States Department of Homeland Security. The Director
8 of State Homeland Security shall serve as the contact between the
9 state and the United States Department of Homeland Security.

10 (3)(a) The Homeland Security Policy Group is created.
11 The Director of State Homeland Security shall serve as chairperson
12 of the policy group. The policy group is charged with assessing
13 strategic alternatives and recommending broad courses of action
14 for the development of comprehensive strategies. The Governor shall
15 appoint other members of the policy group who shall serve at
16 the will of the Governor. The Executive Board of the Legislative
17 Council shall select one member of the Government, Military and
18 Veterans Affairs Committee and one member of the Appropriations
19 Committee of the Legislature to serve as ex officio nonvoting
20 members of the policy group.

21 (b) The policy group shall report semiannually to the
22 executive board regarding its activities and the developments in
23 the coordination efforts between the Office of State Homeland
24 Security and the United States Department of Homeland Security. The
25 report shall identify federal funds sent to the state in support of
26 its preparedness activities and indicate the use of federal funds
27 received by the state for homeland security, including specific

1 amounts allocated to any unit of state or local government and the
2 use to which the unit shall apply the funds.

3 (c) The policy group shall not be subject to the Open
4 Meetings Act or to sections 84-712 to 84-712.09.

5 Sec. 6. Original sections 32-716, 32-1524, and 49-1434,
6 Reissue Revised Statutes of Nebraska, are repealed.